

Counsel Listed on Signature Block

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE OPTICAL DISK DRIVE
ANTITRUST LITIGATION

Case No. 3:10-md-02143 RS

MDL No. 2143

This Document Relates to:

ALL DIRECT PURCHASER ACTIONS

**STIPULATION AND [PROPOSED] ORDER
REGARDING MODIFIED BRIEFING
SCHEDULE FOR DIRECT PURCHASER
PLAINTIFFS' REVISED MOTION FOR
CLASS CERTIFICATION**

WHEREAS, on February 9, 2015, this Court entered an Order Setting Briefing Schedule and Page Limits re Class Certification Motions and Referring Parties to Magistrate Judge for Settlement Discussions (“Briefing Schedule Order”) (Dkt. No. 1518);

WHEREAS, in the Briefing Schedule Order, the Court referred the parties to Magistrate Judge Jacqueline Scott Corley for settlement discussions to be held within 90 ninety days, if possible;

WHEREAS, Direct Purchaser Plaintiffs (“DPPs”) and Defendants have initiated settlement conferences before Magistrate Judge Corley which are currently scheduled through April 29, 2015, one week prior to the current deadline for DPPs to file their Revised Motion for Class Certification;

WHEREAS, the parties seek the efficient resolution of this litigation;

WHEREAS, in order to complete settlement discussions, where possible, prior to the start of briefing on class certification, DPPs request and Defendants do not oppose that the Court modify the Briefing Schedule Order with respect to the DPPs’ filing deadline, in order to provide DPPs two additional weeks to file their revised motion; and

WHEREAS, this two week extension for DPPs’ motion will maintain the original hearing date for the Revised Motions for Class Certification;

NOW THEREFORE, IT IS HEREBY STIPULATED by and between the undersigned counsel for the parties as follows:

1. The filing deadlines set forth in the Briefing Schedule Order are modified with respect to the DPPs only, as follows:

<u>Action</u>	<u>Date in February 9, 2015 Briefing Schedule Order</u>	<u>Proposed New Date</u>
Deadline for DPPs to file Revised Motion for Class Certification	Wednesday, May 6, 2015	Wednesday, May 20, 2015
Deadline for Defendants to file Joint Opposition to DPPs’ Revised Motion for Class Certification	Friday, July 17, 2015	Friday, July 31, 2015
Deadline for DPPs to file Reply in Support of Revised Motion for Class Certification	Friday, August 14, 2015	Friday, August 28, 2015
Hearing on Revised Motion for Class Certification	Friday, September 25, 2015	no change

1 **IT IS SO STIPULATED.**

2
3 Dated: April 22, 2015

Respectfully Submitted,

4 **SAVERI & SAVERI, INC.**

5 /s/ Cadio Zirpoli
6 Guido Saveri
7 R. Alexander Saveri
8 Cadio Zirpoli
9 Travis L. Manfredi
10 706 Sansome Street
11 San Francisco, CA 94111
12 Telephone: (415) 217-6810
13 Facsimile: (415) 217-6813

*Chairman of the Executive Committee
for the Direct Purchaser Plaintiffs*

14 **LATHAM & WATKINS LLP**

15 /s/ Belinda S. Lee
16 Belinda S. Lee
17 505 Montgomery Street, Suite 2000
18 San Francisco, CA 94111
19 Tel: 415-395-8240
20 Fax: 415-395-8095
21 belinda.lee@lw.com

*Attorneys for Defendants Toshiba Samsung
Storage Technology Korea Corporation,
Toshiba Samsung Storage Technology
Corporation, Toshiba America Information
Systems, Inc., and Toshiba Corporation*

22 **BOIES SCHILLER & FLEXNER LLP**

23 /s/ John F. Cove, Jr.
24 John F. Cove, Jr.
25 1999 Harrison Street, Suite 900
26 Oakland, CA 94612
27 Tel: 510-874-1000
28 Fax: 510-874-1460
 jcove@bsfllp.com

*Attorneys for Defendants Sony Corporation,
Sony Optiarc America, Inc., and Sony Optiarc
Inc.*

KATTEN MUCHIN ROSENMAN LLP

/s/ Mary Ellen Hennessy

Mary Ellen Hennessy
525 W. Monroe Street
Chicago, IL 60661-3693
Telephone: (312) 902-5200
Facsimile: (312) 902-1061
maryellen.hennessy@kattenlaw.com

*Attorneys for Defendants TEAC Corporation
and TEAC America, Inc.*

JONES DAY

/s/ Eric P. Enson

Eric P. Enson
555 South Flower Street, Fiftieth Floor
Los Angeles, CA 90071
Tel: 213-489-3939
Fax: 213-243-2539
epenson@JonesDay.com

*Attorneys for Defendants Pioneer Electronics
(USA) Inc., Pioneer North America, Inc.,
Pioneer Corporation, and Pioneer High
Fidelity Taiwan Co., LTD.*

O'MELVENY & MYERS LLP

/s/ Ian Simmons

Ian Simmons
1625 Eye Street, NW
Washington, DC 20006
Telephone: 202-383-5106
Facsimile: 202-383-5414
isimmons@omm.com

*Attorneys for Defendants Samsung Electronics
Co., Ltd. and Samsung Electronics America,
Inc.*

DRINKER BIDDLE & REATH LLP

/s/ Keith A. Walter, Jr.

Keith A. Walter, Jr.
222 Delaware Avenue, Suite 1410
Wilmington, DE 19801
Tel: 302-467-4200
Fax: 302-467-4201
keith.walter@dbr.com

*Attorneys for Defendants Quanta Storage Inc.
and Quanta Storage America Inc.*

DICKSTEIN SHAPIRO LLP

/s/ Lisa M. Kaas
Lisa M. Kaas
1825 Eye Street NW
Washington, DC 20006
Tel: 202-420-2200
Fax: 202-420-2201
kaasl@dicksteinshapiro.com

*Attorneys for Defendants BenQ Corporation
and BenQ America Corp.*

BAKER BOTTS LLP

/s/ Evan Werbel
Evan Werbel
1299 Pennsylvania Ave. NW
Washington, DC 20004
Tel: 202-383-7199
Fax: 202-383-6610
evan.werbel@bakerbotts.com

*Attorneys for Defendants Koninklijke Philips
N.V., Lite-On IT Corp. of Taiwan, Philips &
Lite-On Digital Solutions Corp., and Philips &
Lite-On Digital Solutions U.S.A., Inc.*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

HONORABLE RICHARD SEEBORG
United States District Court Judge

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)

I, Cadio Zirpoli, attest that concurrence in the filing of this document has been obtained from all signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 22, 2015, at San Francisco, California.

/s/ Cadio Zirpoli